

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Crl. Appeal S-3037-SB of 2010
Date of Decision : November 03, 2015

Moti Ram

.....Appellant

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Ms. Sumanjit Kaur, Advocate
for the appellant.

Mr. Dhruv Dayal, Deputy A.G., Haryana.

T.P.S. MANN, J. (Oral)

The appellant had filed the present appeal for challenging the judgment and order dated 21/28.9.2010 passed by the learned Additional Sessions Judge, Jhajjar, whereby, he was convicted under Section 307 read with Section 34 IPC and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.5,000/- and in default of payment of fine, to undergo rigorous imprisonment for three months. He was also convicted under Section 323 read with Section 34 IPC and sentenced to undergo simple imprisonment for one month. The sentences were ordered to run concurrently. However, the period spent by him behind the bars during the investigation/trial of the case was ordered to be set off against his substantive sentence.

As per the custody certificate produced by the State counsel, the appellant completed his substantive sentence of

imprisonment for five years on 2.5.2013. He was, thereafter, detained to undergo imprisonment for three months, which was imposed upon him in default of payment of fine and finally released from the jail on 1.8.2013.

Once the appellant has already undergone the entire substantive sentence of imprisonment and also the sentence imposed upon him in default of payment of fine, the appeal has been rendered infructuous and, the same is, accordingly, disposed of.

November 03, 2015
amit rana

(T.P.S. MANN)
JUDGE